

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRYAN BEHRENS,)	8:13CV17
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
CHASE HOME FINANCE,)	
)	
Defendant.)	

This matter is before the court on its own motion. On January 11, 2013, Plaintiff filed his Complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing Nos. [1](#) and [2](#).) On March 25, 2013, the court granted Plaintiff’s IFP Motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#). (Filing No. [17](#).) In doing so, the court warned Plaintiff that his case would be subject to dismissal if he failed to pay the initial partial filing fee by April 25, 2013. (*Id.*) On April 18, 2013, the court extended the deadline for Plaintiff to pay the initial partial filing fee until May 27, 2013. (Filing No. [20](#).)

The May 27, 2013, deadline has passed and Plaintiff has not paid the initial partial filing fee in this matter. (See Docket Sheet.) Therefore, Plaintiff’s case is dismissed for failing to comply with the court’s orders. See [Fed. R. Civ. Pro. 41\(b\)](#); see also [Conley v. Holden, No. 03-3908, 2004 WL 2202452, at *1 \(8th Cir. Sept. 21, 2004\)](#) (affirming district court’s dismissal of inmate’s case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

1. Plaintiff’s Complaint (filing no. [1](#)) is dismissed without prejudice because Plaintiff failed to comply with this court’s orders.

2. All pending motions are denied.

3. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 3rd day of June, 2013.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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